

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA, : CASE NO.: 5:15-cr-339
: 5:17-cv-753
Plaintiff-Respondent, :
: OPINION & ORDER
vs. : [Resolving Doc. No. [544](#)]
: PHILON RAMSEY,
: Defendant-Petitioner. :
:

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Philon Ramsey moves to modify or reduce his term of imprisonment under 18 U.S.C. § 3582(c)(2).¹ Ramsey argues that he should receive a two-level reduction in his United States Sentencing Guidelines calculation based on Guideline Amendment 782, which lowered the base offense levels for most drug quantities by two.² This amendment went into effect in November 2014 and was incorporated into the 2015 Guidelines Manual.³

Ramsey was sentenced on March 7, 2016,⁴ and the Court calculated Ramsey's sentence using the 2015 Guidelines Manual.⁵ As such, Ramsey's Guidelines calculation included the Amendment 782 offense level adjustment, and he is not entitled to relief on that ground.

Because Ramsey does not qualify for relief under 18 U.S.C. § 3582(c)(2) based on a change in the Sentencing Guidelines, the Court cannot consider any of his 18 U.S.C. § 3553(a) arguments for a reduced sentence.⁶

¹ Doc. [544](#).

² See [United States v. Steel](#), 609 F. App'x 851, 855 (6th Cir. 2015) (discussing the enactment and application of Amendment 782).

³ *Id.*

⁴ See Doc. [260](#).

⁵ See Doc. [243](#).

⁶ See [18 U.S.C. § 3582\(c\)](#).

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For those reasons, the Court **DENIES** Ramsey's motion to modify or reduce his sentence.

IT IS SO ORDERED.

Dated: June 1, 2018

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE